

TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY

CHAPTER 15. ANIMAL INDUSTRY

SUBCHAPTER 9. LIVESTOCK SPECIAL SALES

PART 3. LIVESTOCK SPECIAL SALES

35:15-9-7. Application

(a) Any person shall obtain a permit prior to conducting a livestock special sale from the Department.

(b) Each application for a Livestock Special Sale permit shall include:

- (1) Name and address of person requesting permit;
- (2) Location of sale premises;
- (3) Date and time of sale; and
- (4) Signature, ~~complete~~ email address, and telephone number of person requesting the permit.

35:15-9-8. Written records

Each permit holder shall keep written records for not less than five (5) years after the special sale that are necessary and adequate to determine the sources and disposition of livestock sold at the sale, ~~and~~. Retained records shall at a minimum include, but not be limited to, the following:

- (1) Accounts of sales;
- (2) Accounts of purchases;
- (3) Bills and invoices to purchasers;
- (4) Documents certifying the health status of animals presented by consignors;
- (5) Records identifying each consignor and purchaser at the sale, including the name, mailing address, and telephone number of the consignor and purchaser ~~or, if a minor, the representative of the purchaser;~~ and
- (6) All other written correspondence pertaining to livestock advertised or sold in the sale.

35:15-9-9. Submission of record sales

~~(a)~~ (a) The permit holder shall ~~may~~ submit to the Board within fifteen (15) days after the special sale a record identifying each animal consigned. The record shall include the name, mailing address, and telephone number of the consignor ~~or representative~~, and the name, mailing address, and telephone number of the purchaser ~~or, if a minor, the representative of the purchaser~~.

(b) A permit holder who submits records pursuant to the provisions of subsection (a) of this section shall not be required to comply with the provisions of paragraph 5 of OAC 35:15-9-8.

SUBCHAPTER 13. TESTING AND INSPECTION FOR DISEASE AND RELEASE OF LIVESTOCK AT AUCTION MARKETS

35:15-13-3. General requirements for a livestock auction market

(a) Any person owning, operating, conducting, or maintaining a livestock auction market shall be required to employ a livestock auction market veterinarian for auctions selling cattle, horses, swine, or other species as determined by the state veterinarian.

(b) The buyer's invoice shall include the buyer's name and address and a description of the -

livestock as to ~~breed~~ age, color, and sex.

(c) The seller's invoice shall include the seller's name and address and a description of the livestock as to ~~breed~~ age, color, and sex.

(d) The livestock auction market veterinarian or sale company shall not be responsible for results of any tests that are conducted properly or for any reactor animals or responder animals found in the market.

(e) Refusal or failure to comply with Department rules shall be just cause for the revocation or suspension of the livestock auction market license.

(f) No person owning, operating, conducting, or maintaining a livestock auction market shall allow any of the following animals to leave the livestock auction market unless it is individually identified by an official identification with an exception for weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person:

(1) All beef cattle eighteen (18) months of age or older, except terminal fed steers and heifers, going directly to a feedlot or slaughter which will not be reintroduced into the breeding herd;

(2) All dairy cattle;

(3) All "M" branded cattle including any commingled cattle, and

(4) All roping, exhibition, event, and rodeo cattle.

(g) Weak cattle or cattle that pose a greater than normal risk of being injured or injuring a person may be sold with a back tag and slaughter only tag to be transported directly to slaughter.

(h) The owner or operator of the livestock auction market shall keep records of each animal consigned or delivered to the livestock auction market for a period of five (5) years for disease traceback purposes, including but not limited to, the following:

(1) "Drive-in" or any other documents identifying the backtag, owner's name and address, and license tag of mode of transportation;

(2) Any records kept pursuant to the Livestock Auction Market Act;

(3) Records of any official identification applied to the animal or already existing with the animal;

(4) Any records available regarding the purchaser of the animals; and

(5) Records of official identification that are sufficiently legible and accurate to facilitate successful tracebacks.

(i) Each livestock auction market shall sign and have on record with the Department the most current livestock market contract for each of the species sold at the market. Markets shall sell only species approved to be handled, sold, or exchanged pursuant to their livestock auction market license.

(j) The livestock auction market shall make the above records available to Department personnel when requested on non-sale days. In an emergency, records may be requested and shall be made available to Department personnel regardless of sale schedule.

35:15-13-6. Movement of livestock through livestock auction markets

(a) All certificates of veterinary inspection, permits, and other documents, including out-of-state documents accompanying livestock into Oklahoma livestock auction markets, that are incomplete or have been altered in any way are void and shall not be accepted. ~~This includes documents~~ shall include documents that are incomplete as to official identification ~~number numbers~~ and description descriptions of animal ~~it represents the animals they represent~~. ~~In order to~~ To be accurate and acceptable, the prefix of each official identification number shall be recorded.

(b) All livestock shipped or exported from the State of Oklahoma shall meet the state of destination importation requirements.

(c) Dairy cattle or Mexican cattle to be tuberculosis tested after change of ownership that are not held at the livestock auction for testing shall be consigned to the purchaser's accredited veterinarian of choice accompanied by a VS 1-27 form to verify the arrival of the animal for testing.

(d) Restricted cattle shall be tagged with a slaughter only tag except in instances where the cattle have been tested for the disease of concern.

(e) Cattle tagged with a Slaughter Only Tag shall not be diverted from slaughter channels and shall be transported to an approved livestock facility within seven (7) days of sale.

(f) It shall be a violation of the Oklahoma Administrative Code to remove a Slaughter Only Tag from an animal.

(g) It shall be a violation of the Oklahoma Administrative Code to present feral swine to a livestock auction market or to sell feral swine at livestock auction markets.

35:15-13-7. Specific approval of livestock auction markets

(a) No livestock auction market shall be specifically approved until proper application is made and a determination is made by the State Veterinarian that Department regulations and standards are met.

(b) All animals received at the livestock auction market shall be considered in interstate commerce and be handled in accordance with interstate regulations.

(c) All cattle, bison, horses, swine or other species, as determined by the State Veterinarian, shall be visually inspected by the livestock auction market veterinarian prior to sale for diseased conditions such as cattle scab, sheep scab, Actinomycosis (lump jaw), Carcinomas (cancer eye), Infectious Rhinitis (bull nose) or any other infectious, contagious, or communicable disease.

(d) Any animal determined to be diseased by the livestock auction market veterinarian shall be sold direct to slaughter or quarantined for treatment pursuant to the judgment of the livestock auction market veterinarian.

(e) Each market shall furnish and maintain in good repair sufficient equipment suitable for restraining animals for careful inspection, testing, tagging, branding, and other treatments and procedures ordinarily required in providing livestock sanitary service at markets. The equipment shall be covered or housed so that necessary work can take place during inclement weather.

(f) The appointment and termination of the livestock auction market veterinarian by the livestock auction market is subject to approval of both state and federal officials.

(g) Failure or neglect to perform any of the functions in this section shall be cause for withdrawal of the approval.

(h) Each livestock auction market shall sign and have on record with the Board the most current livestock market contract for each of the species sold at the market. Markets shall sell only species approved to be handled, sold, or exchanged pursuant to their livestock auction market license.

SUBCHAPTER 22. SWINE PSEUDORABIES AND BRUCELLOSIS PART 7. REQUIREMENTS FOR SWINE EXHIBITIONS

35:15-22-71. Exhibition requirements

(a) Each person who presents swine for a swine exhibition, special sale, or show shall provide verification of one of the following:

- (1) A federal premises identification number; or
- (2) A state location identification number.

(b) Swine shall be individually identified at the time of testing with both ear notches and an 840 button-type electronic official identification ear tag. Untested exhibition swine originating from a V/Q herd shall be similarly identified prior to exhibition.

(c) All swine shall meet one of the following testing requirements:

(1) Oklahoma origin swine shall have a negative brucellosis and pseudorabies test after ~~June 1~~ May 15 each year for summer and fall exhibitions and after ~~December 1~~ November 10 each year for winter and spring exhibitions. These tests are valid for the entire respective exhibition season, unless in the opinion of the designated epidemiologist the swine have been exposed to pseudorabies or brucellosis. The swine shall also be accompanied by a copy of the official test chart or a certificate of veterinary inspection listing the test results, laboratory name, laboratory accession number, and individual identification.

(2) Swine originating from outside of Oklahoma shall meet the requirements of OAC 35:15-22-33(a) - (c).

(3) Each swine shall originate from a V/Q herd and only be exhibited by an immediate family member of the V/Q herd owner. The V/Q herd number, most recent quarterly test date, and official identification of all swine being exhibited shall be listed on the certificate of veterinary inspection.

SUBCHAPTER 34. FERAL SWINE

35:15-34-13. License fees

(a) ~~Sporting facilities that are not licensed as a commercial hunting area by the Oklahoma Department of Wildlife Conservation:~~

(1) Application fee - \$325.

(2) Renewal fee –

(A) \$200; or

(B) \$25, if licensed by the Oklahoma Department of Wildlife Control (ODWC).

(b) Handling facility:

(1) Application fee - ~~\$200~~ \$225.

(2) Renewal fee – ~~\$100~~

(A) \$125, if received on or before June 1; or

(B) \$250, if received after June 1.

(c) Transporter: Application and renewal fee - \$25.

(d) Captive feral swine hunter - \$25.

SUBCHAPTER 44. FARMED CERVIDAE

35:15-44-19. Entry and export requirements

(a) Import of cervidae shall be accompanied by a Certificate of Veterinary Inspection and a Cervidae Import Permit approved or provided by the Department.

(1) The import permit shall be valid for thirty (30) days from approval.

(2) Cervidae Import Permit applications shall be submitted to the Department no less than three (3) working days prior to the scheduled shipment.

(b) Cervidae susceptible to chronic wasting disease shall only be imported to a premises licensed by the Department or the Oklahoma Department of Wildlife Conservation.

(c) Cervidae shall have two forms of identification. One (1) of these two (2) forms of identification

shall be official identification.

~~(e)~~ (d) The State Veterinarian or designee may require a brucellosis test of any cervidae subject to the provisions of this subchapter.

~~(d)~~ (e) All cervidae shall meet the tuberculosis testing provisions found at 9 CFR Part 77 (2021 Revision).

~~(e)~~ (f) All cervidae, within the genera *Odocoileus*, *Cervus*, and *Alces* and their hybrids, shall originate from a chronic wasting disease certified herd from a county where no chronic wasting disease has been confirmed in native cervidae populations.

35:15-44-20. Animal identification requirements

(a) All cervids twelve (12) months or older shall be individually identified by at least one form of unique identification approved by the Department. ~~Non-breeding hunting animals that are natural additions and do not participate in any disease monitoring programs shall be exempt from this identification requirement.~~

(b) All cervids of any age shall be individually identified by at least one form of unique identification prior to movement from the original herd premises unless being moved directly to a licensed commercial hunting area.

(c) The removal of official identification devices is prohibited except at the time of slaughter, at any other location upon death of the animal, or as otherwise approved by the State Veterinarian.

SUBCHAPTER 47. CHRONIC WASTING DISEASE (CWD) IN CERVIDS PART 7. INTERSTATE MOVEMENT REQUIREMENTS

35:15-47-18. Minimum CWD requirements for interstate movement of cervids

(a) Regulations of the United States Department of Agriculture concerning the interstate movement of cervidae found at 9 CFR Part 81 (~~2021 Revision~~) are adopted by reference.

(b) Caribou and Reindeer shall meet all interstate movement regulations that apply to cervidae found at 9 CFR Part 81 (~~2021 Revision~~).